REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-21 are presently pending. Claims amended herein are 1, 10, 17, 18 and 20. Claims withdrawn or cancelled herein are none. New claims added herein are none.

Statement of Substance of Interview

[0004] The Examiner graciously spoke with me—the undersigned representative for the Applicant—on May 23, 2007. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, the Examiners indicated that claims 10-16 were inadvertently omitted from the presented § 101 rejections.

[0006] During the interview, I discussed examples of how the claims differed from the cited art, namely Goodisman and a publication from Microsoft Corporation. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0007] The Examiner was receptive to the proposals, and I understood the Examiner to indicate that they thought that there was a distinction in the application from the reference. However, the Examiner indicated that he would need to review the cited art more carefully and/or do another search, and requested that the proposed amendments be presented in writing.

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

11

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[0008]   Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0009]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant— so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0010]   Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments and Additions

[0011]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 10, 17, 18 and 20 herein. Applicant amends claims in accordance with our telephone discussion with the Examiner to overcome §101 rejections. Such amendments are made to expedite prosecution and quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to cited prior art.

Serial No.: 10/765,534   12
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

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Substantive Matters

Claim Rejections under § 101

[0012] Claims 17-19 are rejected under 35 U.S.C. § 101. During the telephone discussion on May 23, 2007, Examiners Hassan and Lo indicated that claims 10-16 should also have been rejected under 35 U.S.C. 101. Applicant appreciates the Examiners' candor regarding this oversight. In light of the amendments presented herein, Applicant respectfully submits that all claims comply with the patentability requirements of § 101. The Applicant further asserts that these claims are allowable.

[0013] If the Examiner maintains the rejection of these claims, then the Applicant requests additional guidance as to what is necessary to overcome the rejection.

Claim Rejections under §103

[0014] Claims 1-21 are rejected under 35 U.S.C. § 103. In light of the amendments presented herein, the reasoning presented below, and the discussion during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Additionally, for the reasons set forth below, the Examiner has not shown or made a prima facia case showing that the rejected claims are obvious.

[0015] Accordingly, Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

13

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[0016]   The discussion below considers the following references alone and/or in combination:

- **Goodisman**: US Patent No. 6,330,006 (issued December 11, 2001);
- **IWP2P:** *Introduction to Windows Peer-to-Peer Networking.* Microsoft publication. (2003).

Overview of the Application

[0017]   The Application describes a technology for synchronizing user interfaces on peer machines in a peer-to-peer network. In particular, data binding is used to ensure that data sources and corresponding UI objects remain mutually synchronized. Further, in an embodiment of the invention, object persistence is utilized to transform changed data source objects to a data stream for propagation via a peer graph record structure. Furthermore, in an embodiment of the invention, a standard interface is then used to create and load the propagated object on a peer machine. Thus the invention is directed in embodiments to an N to N replicated data store and presentation.

Cited References

[0018]   The Examiner cites Goodisman as its primary references in its obviousness-based rejections. The Examiner cites IWP2P as its secondary reference in its obviousness-based rejections.

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

14

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Goodisman

[0019]   Goodisman describes a technology to minimize errors by application programmers by guaranteeing that data is bound properly to user interface objects to make certain that the user interface accurately reflects changes in the data being represented. To assist programmers, a design tool is used to specify an interface object's binding properties. Data binding properties define an association between an interface object (like a button or table row) and underlying data for synchronization purposes. A binding manager manages the bindings. Further, the binding manager registers with the program code (instances of object classes) that manages the bound interface objects and represented data. The binding manager processes a change request when a change occurs to an interface object or the underlying data to ensure that bound interface objects and data sources remain synchronized.

IWP2P

[0020]   IWP2P is an article providing an overview of peer-to-peer networking, including a description of peer-to-peer networking scenarios. The paper also describes the goals of Windows Peer-to-Peer Networking and how it works, including detailed descriptions of IPv6 and NAT traversal, peer discovery and name resolution, graphing, grouping, replicated storage, and searching.

Serial No.: 10/765,534   15
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

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Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0021]   Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

[0022]   The Examiner rejects claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over Goodisman in view of IWP2P. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claims 1 and 10

[0023]   Applicant respectfully submits that Goodisman and IWP2P, either alone or in combination, fail to disclose at least (from amended independent claim 1 and emphasis added):

1. A method of **synchronizing user interfaces on a plurality of peer machines within a peer-to-peer network** comprising:
    binding a display object on a first of the plurality of machines to a data source object on the first machine, the display object corresponding to a user interface element, the **data source object comprising data usable by the display object for constructing the user interface element**;
    notifying the display object by the data source object that a change in the data source object has occurred, **the change in the data source object being in accordance with a change in the user interface of a second of the plurality of peer machines within the peer-to-peer network**;
    retrieving information representative of the changed data source object by the display object from the data source object; and
    conforming the user interface element to reflect the changed data source object.

[0024]   Claim 1 recites synchronizing user interfaces by binding a display object (e.g., a user interface element) on a first machine to a data source object (e.g., <u>data usable by the</u>

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

16

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display object to construct the user interface element). Goodisman does not. Rather, Goodisman is directed to guaranteeing that data is bound properly to user interface objects to make certain that the user interface accurately reflects changes in the data being represented, (c. 1-2, ll. 65-9). Furthermore, Goodisman does not disclose a peer-to-peer network. As the Examiner noted, in addition to failing to disclose a peer-to-peer network, Goodisman also fails to disclose synchronization between user interfaces on a plurality of peer machines, (Action p. 4). Thus, Goodisman's control unit does not ensure mutual synchronization of user interface elements over a network. IWP2P does not cure the deficiency because it also fails to disclose synchronizing user interfaces—in fact, any interfaces. IWP2P also requires that a record be replaced with a record containing a higher version number, rather than changing the record's contents during an "update." (p. 13, "Graphing: . . . "To perform these functions [flooding], each flooded record that is identified by a globally unique identifier (GUID), has an increasing version number or sequence number, and is further qualified by age or a status.") This restriction is contrary to the instant application.

[0025]   Applicant respectfully submits that Goodisman and IWP2P, either alone or in combination, fail to disclose at least (from amended independent claim 17 and emphasis added):

17. A **replicated data store for storing** one or more copies of **an object residing on a first** of a plurality of **computers** interconnected by a network **onto one or more second computers** of the plurality of computers comprising:
      a peer graph object on the first computer for distributing data representing the object to each of the second computers;
      a peer graph object on each of the second computers for receiving the distributed data; and
      a data source object on each of the second computers, wherein the data source object creates a copy of the object from the data representing the object, wherein the copy of the object is data bound to the data source object.

Serial No.: 10/765,534   17
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

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[0026] Claim 17 recites a "replicated data store" that "stores" objects from one computer onto another computer. As noted, Goodisman does not. Furthermore, as the Examiner noted, in addition to failing to disclose a peer-to-peer network and synchronization between user interfaces on a plurality of peer machines, Goodisman also fails to disclose using peer graph, (Action p. 4). IWP2P also does not disclose a replicated data store that stores objects from one computer onto another computer. Rather, IWP2P discloses a "replicated store" that is a set of records. Microsoft does not disclose that its "replicated store" includes peer graph objects or data source objects having the functionality claimed in the instant application.

[0027] As shown above, the combination of Goodisman and IWP2P does not disclose all of the claimed elements and features of these claims. Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

Independent Claims 8, 18, and 20

[0028] The Examiner rejects 17 claims (1, 2, 4-11, 13-18, 20, and 21), including all independent claims together, under 35 U.S.C. 103. Applicant respectfully disagrees regarding at least independent claims 8, 18, and 20. Respectfully, Applicant submits that each claim is inherently different from another. If the Examiner believes that double patenting rejections are in order for these claims, please provide such for Applicant's response. Otherwise, in order for Applicant to exercise its due process rights under the Administrative Procedures Act and respond to a rejection for each of these claims, Applicant respectfully requests that the Examiner specifically reject each claim limitation. At this

Serial No.: 10/765,531   18
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

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time, based on the combined rejection provided, Applicant respectfully submits that Goodisman and IWP2P, either alone or in combination, fail to render independent claims 8, 18, and 20 obvious for at least the same reasons as the claims discussed above.

No Reason to Combine References

[0029]   The Examiner admits that Goodisman does not teach the "peer-to-peer network, synchronization between user interfaces on a plurality of peer machines, or using peer graph", as recited in the claims. The Examiner therefore relies on IWP2P, which provides an introduction to Windows Peer-to-Peer Networking, but with different functionality and that fails to disclose any interfaces.

[0030]   On page 5 of the Action, the Examiner states that it would be obvious to combine the "data binding technique taught by Goodisman with the graphing technique of peer-to-peer networking taught by IWP2P in order to provide an improved and simplified mechanism for synchronizing user interface elements over a peer-to-peer network." As this statement of obviousness is a direct quote of the last sentence of paragraph [0005] of the Specification, and a statement of the problem that the Applicant sought to solve, Applicant fails to see how the Examiner arrived at the reasons for obviousness without employing Applicant's disclosure.

[0031]   The Examiner goes on to cite 3 pages of IWP2P and the problem that the Goodisman reference sought to solve in an attempt to bolster his reason to combine. However, the two are unrelated, and the result above, appears to demonstrate that Applicant's disclosure provided the reason to attempt to combine the cited references. Additionally, Applicant submits that Goodisman and IWP2P do not teach or suggest all of

Serial No.: 10/765,534   19
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

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the elements of this claim, as noted above, thus, there exists no reasonable evidence for combining these references in this way.

[0032] "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness," KSR Int'l Corp. v. Teleflex, Inc., Slip Op. at 14 (U.S. Apr. 30, 2007) (quoting In re Kahn, 441 F. 3d 977, 988 (CA Fed. 2006)).

[0033] Applicant submits that the Examiner has not identified some evidence of a reason from the cited references themselves or from the knowledge of one of ordinary skill in the art that would have led one of ordinary skill in the art at the time of the invention (hereinafter, "OOSA") to combine the disclosures of the cited references in the manner claimed. More specifically, there is no reason to combine because:

- the cited art does not suggest the desirability of the claimed invention;
- the Examiner has not provided any objective and particular evidence showing why OOSA would have a reason to combine the teachings of the two references.

[0034] Accordingly, the Applicant therefore respectfully asks the Examiner to withdraw the rejections of these claims.

No Reason to Combine: Cited References Express no Reason to Combine

[0035] Applicant submits OOSA would have no reason to combine the teachings of Goodisman with IWP2P because neither reference expresses a reason to combine the teachings of these references, either explicitly or implicitly. At p. 5 of the Action, the

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

20

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Examiner suggests that the reason to combine the teaching of these references is "to harness the various benefits of peer-to-peer networking for shared activities" from IWP2P.

[0036] However, Applicant submits that IWP2P never teaches, discloses, or presents any user interface elements. IWP2P relates to introducing a particular peer-to-peer network. Applicant submits that this introduction does not disclose or imply synchronizing user interfaces. It also does not disclose or suggest changing a record's contents during an update, as recited this claim, but instead requires that a record be replaced with a record containing a higher version number during an "update."

[0037] In addition, Goodisman does not disclose that its teaching could be utilized in any system for peer-to-peer networking (including the one that IWP2P discloses).

[0038] For the foregoing reasons, Applicant submits that neither reference expresses a reason to combine the teachings of these references. Accordingly, OOSA would have no reason to combine the teachings of the cited references.

No Reason to Combine: No Showing of Objective Evidence

[0039] Furthermore, Applicant respectfully submits that the Examiner has not met its burden in showing evidence of a reason to combine Goodisman and IWP2P. More specifically, the Examiner has not identified any objective and particular evidence found in the cited references or from the knowledge of OOSA that show why OOSA would have a reason to combine the teachings of the two cited references.

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

21

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[0040]   The Examiner has not identified any specific portion of the cited references as being objective and particular evidence that would have led OOSA to look towards the teachings of the other to produce the combination of references that the Examiner proposes.   Applicant respectfully submits that the Examiner cannot maintain this obviousness-based rejection without pointing out, with particularity, the specific portions of the cited references or from the knowledge of OOSA that would have led OOSA to look towards the teachings of the other to produce the combination of references that the Examiner proposes.

[0041]   For the foregoing reasons, Applicant submits that the Examiner has not met its burden in showing objective evidence to combine references.   Accordingly, OOSA would have no reason to combine the teachings of cited references.

[0042]   In sum, Applicant submits that there is no suggestion, teaching, or reason given by one reference that would lead OOSA to combine it with the teachings of the other reference.   More specifically, there is no reason to combine because no reason exists in the references themselves to make the combination; and the Examiner has not provided any objective and particular evidence showing why OOSA would have reason to combine the teachings of the two references.

[0043]   Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION

22

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Dependent Claims

[0044]   In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0045]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 08/13/2007   By: _____

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Serial No.: 10/765,534
Atty Docket No.: MS1-2679US
Atty/Agent: Beatrice L. Koempel-Thomas
RESPONSE TO NON-FINAL OFFICE ACTION   23   lee⬥hayes   The Business of IP™
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